

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

J-SQUARED TECHNOLOGIES, INC., a	)	
Canadian corporation, and J-SQUARE	)	
TECHNOLOGIES (OREGON) INC., an	)	
Oregon corporation,	)	
	)	
Plaintiffs,	)	
v.	)	C.A. No. 04-CV-960-SLR
MOTOROLA, INC., a Delaware corporation.	)	
Defendant.	)	

**EXHIBIT U TO  
MOTOROLA'S RESPONSE TO PLAINTIFFS'  
MOTION FOR PROTECTIVE ORDER**

YOUNG CONAWAY STARGATT & TAYLOR, LLP  
/s/ William W. Bowser

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OF COUNSEL:  
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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

J-SQUARED TECHNOLOGIES, INC.; and  
J-SQUARED TECHNOLOGIES  
(OREGON), INC.,

Plaintiffs,

vs.

MOTOROLA, INC.,

Defendant.

C.A. No. 04-CV-960-SLR

**DEFENDANT'S SECOND SET OF INTERROGATORIES,  
REQUESTS FOR ADMISSION, AND REQUESTS FOR  
PRODUCTION TO J-SQUARED TECHNOLOGIES, INC.**

**TO: PLAINTIFFS J-SQUARED TECHNOLOGIES, INC. AND ITS  
COUNSEL:**

Pursuant to Federal Rule of Civil Procedure 33, Motorola, Inc. ("Motorola") requests that plaintiff answer the following interrogatories in writing and under oath within thirty days from the date hereof. Pursuant to Federal Rule of Civil Procedure 36, Motorola also requests that plaintiff respond to the following requests for admission in writing within thirty days from the date hereof. Pursuant to Federal Rule of Civil Procedure 34, Motorola also requests that plaintiff produce the following documents within thirty days from the date hereof, care of Cory Talbot at Lewis and Roca, 40 North Central, Phoenix, AZ 85004-4429.

**Instructions for Use**

A. All information is to be divulged that is in the possession of the plaintiff, its attorneys, investigators, agents, employees, or other representatives.

B. When an interrogatory calls for an answer that involves more than one part, each part of the answer should be clearly set out so that it is understandable.

**Requests for Production**

16. Please produce any and all documents that support your responses to Motorola's interrogatories or that you consulted or referred to in responding to these interrogatories.

17. Please produce copies of all contracts identified in Interrogatory No. 17. Motorola will accept redacted copies of these contracts so long as the information requested in Interrogatory No. 17 is not redacted.

18. If not produced pursuant to Request No. 17 above, please produce copies of any contracts JST executed with Interphase whether currently in effect or not, as identified in Interrogatory No. 18. Motorola will accept redacted copies of these contracts so long as the information requested in Interrogatory No. 18 is not redacted.

19. Please produce each and every financial forecast that Marc Watts, Jeanne Kolasa, and Larry Terry provided to Claude Langlois, as asserted in JST's response to Motorola's Interrogatory No. 1, and any and all documentary evidence that MOTJ00556 was ever shared with anyone at JST. If JST has already produced documents of this type, please specifically identify them by bates range.

20. Please produce any and all documents that support your response to Interrogatory No. 20. If JST has already produced documents of this type, please specifically identify them by bates range.

21. Please produce any and all documents supporting your response to Motorola's Interrogatory No. 5 that JST incurred substantial expenses from "payroll, technology, training, travel, marketing, etc.," including but not limited to copies of any and all financial or other records reflecting expenses for: 1) payroll costs related to Motorola, 2) technology expenses related to Motorola, 3) training expenses related to Motorola, 4) travel costs associated with Motorola, and 5) marketing costs associated with Motorola, such as copies of paychecks to sales representatives assigned to sell Motorola products; copies of timecards or timesheets for sales representatives assigned to

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	)	
MOTOROLA, INC., a Delaware	)	
corporation.	)	
	)	
Defendant.	)	

**NOTICE OF SERVICE**

I, William W. Bowser, Esquire, hereby certify that on March 1, 2006,  
copies of **Defendant's Second Set of Interrogatories, Requests for Admissions, and  
Requests for Production to J-Squared, Inc. and Certificate of Service** were served  
upon the following counsel:

David Allan Felice, Esquire (By Hand Delivery)  
Cozen & O'Connor  
Chase Manhattan Centre  
1201 North Market, Suite 1400  
Wilmington, DE 19801

Kevin F. Barry, Esquire (By First Class Mail)  
Cozen & O'Connor  
1900 Market Street  
Philadelphia, PA 19103

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ William W. Bowser

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**CERTIFICATE OF SERVICE**

I, William W. Bowser, Esquire, hereby certify that on March 1, 2006, I electronically filed a true and correct copy of the foregoing **Notice of Service** with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

David Allan Felice, Esquire  
Cozen & O'Connor  
Chase Manhattan Centre  
1201 North Market, Suite 1400  
Wilmington, DE 19801

I further certify that on March 1, 2006, I mailed by United States Postal Service the foregoing **Notice of Service** to the following non-registered participant:

Kevin F. Barry, Esquire  
Cozen & O'Connor  
1900 Market Street  
Philadelphia, PA 19103

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**DEFENDANT'S SECOND SET OF INTERROGATORIES,  
REQUESTS FOR ADMISSIONS, AND REQUESTS FOR  
PRODUCTION TO J-SQUARED TECHNOLOGIES (OREGON), INC.**

**TO: J-SQUARED TECHNOLOGIES (OREGON), INC. AND ITS COUNSEL:**

Pursuant to Federal Rule of Civil Procedure 33, Motorola, Inc. ("Motorola") requests that plaintiff answer the following interrogatories in writing and under oath within thirty days from the date hereof. Pursuant to Federal Rule of Civil Procedure 36, Motorola also requests that plaintiff respond to the following requests for admission in writing within thirty days from the date hereof. Pursuant to Federal Rule of Civil Procedure 34, Motorola also requests that plaintiff produce the following documents within thirty days from the date hereof, care of Cory Talbot at Lewis and Roca, 40 North Central, Phoenix, AZ 85004-4429.

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- B. When an interrogatory calls for an answer that involves more than one part, each part of the answer should be clearly set out so that it is understandable.

**Requests for Production**

17. Please produce any and all documents that support your responses to Motorola's interrogatories or that you consulted or referred to in responding to these interrogatories.

18. Please produce copies of all contracts identified in Interrogatory No. 22. Motorola will accept redacted copies of these contracts so long as the information requested in Interrogatory No. 22 is not redacted.

19. If not produced pursuant to Request No. 18 above, please produce copies of any contracts JSO executed with any company or person as a result of its relationship with Motorola.

20. Please produce any and all documents that support your response to Interrogatory No. 23. If JSO has already produced documents of this type, please specifically identify them by bates range.

21. Please produce each and every document supporting your response to Interrogatory No. 1 that "Marc Watts, Jeanne Kolasa, and Dennis Robinson represented that the POS commission payments payable to Plaintiff, based upon a 5% commission and a historical run rate, would be sufficient to permit Plaintiff to realize a substantial revenue source at the commencement of the engagement." If JSO has already produced documents of this type, please specifically identify them by bates range.

22. Please produce all documents supporting your response to Motorola's Interrogatory No. 5 that JSO incurred substantial expenses from "payroll, technology, training, travel, marketing, etc.," including but not limited to copies of any and all financial or other records reflecting expenses for: 1) payroll costs related to Motorola, 2) technology expenses related to Motorola, 3) training expenses related to Motorola, 4) travel costs associated with Motorola, and 5) marketing costs associated with Motorola, such as copies of paychecks to sales representatives assigned to sell Motorola products; copies of timecards or timesheets for sales representatives assigned to sell Motorola

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